

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

MITCHELL S. FINEMAN, M.D.  
and LUCY Q. FINEMAN, h/w

Plaintiffs,

v.

TREK BICYCLE CORPORATION, LTD.,  
ELECTRA BICYCLE COMPANY, INC.,  
ELECTRA BICYCLE CORPORATION, LLC,  
TREK RETAIL CORPORATION (d/b/a Trek  
Bicycle Philadelphia Manayunk), BEACON  
STORES, INC. (d/b/a Beacon Cycling and/or  
Beacon Cycling & Fitness),  
MITCHELL ROVINS and SUSANNA  
ROVINS (d/b/a Beacon Stores, Inc. (d/b/a Beacon  
Cycling and/or Beacon Cycling & Fitness), SRAM,  
LLC, JOHN DOE(S) and JANE DOE(S), ABC  
CORPORATION and DEF, LLC, HENG YING  
MACHINERY CO., LTD.

Defendants.

NO: 2:23-CV-02272-JFM

**PLAINTIFFS' MEMORANDUM OF LAW IN OPPOSITION TO  
DEFENDANTS, BEACON STORES, INC., MITCHELL ROVINS AND SUSANNA ROVINS,  
MOTION TO DISMISS**

Plaintiffs, Mitchell S. Fineman, M.D. and Lucy Q. Fineman, oppose the instant Motion to Dismiss [ECF 27] and state as follows:

**I. FACTUAL STATEMENT**

This civil action involves a defective, recalled,<sup>1</sup> bicycle product assembled and

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<sup>1</sup> The defective silver Electra® bicycle sold by Beacon to Dr. Fineman was recalled in the United States of America on February 21, 2019, under Consumer Product Safety Commission ("CPSC") Recall No.19-069. See Complaint ¶51 [ECF 1].

distributed by the Defendants, Beacon Stores, Inc. (owned and operated by Mitchell Rovins and Susanna Rovins)(collectively “Beacon”), which resulted in a crash and serious injuries to Dr. Fineman and his wife. [ECF 1] Those facts, and many others set forth *infra*, are deemed admitted for purposes of this Motion to Dismiss.

## **II. PROCEDURAL STATUS**

Plaintiffs filed their civil action Complaint on June 9, 2023 in the Court of Common Pleas of Philadelphia County. [ECF 1, ¶1] Some of the other named defendants thereafter improperly filed a Petition for Removal with this Court days later on June 14, 2023. [ECF 1].<sup>2</sup> The Petition for Removal was fundamentally defective for lack of proof of diversity of citizenship and/or lack of unanimity depriving this Court with subject matter jurisdiction and requiring remand by statute. 28 U.S.C. § 1447(c). A Motion for Remand [ECF 7 & 12] is presently pending before this Court.

## **III. STANDARD OF REVIEW**

Federal Rule of Civil Procedure 12(b)(2) requires a court to dismiss a case when it lacks personal jurisdiction over a defendant. Fed.R.Civ.P. 12(b)(2). A court must analyze jurisdictional contacts on a claim-by-claim basis. Miller Yacht Sales, Inc. v. Smith, 384 F.3d 93, 104 (3d Cir. 2004). A defendant bears the initial burden of raising personal jurisdiction as a defense. See Fed.R.Civ.P. 12(h)(1). If a defendant properly raises that defense, the burden shifts to a plaintiff to establish personal jurisdiction. O'Connor v. Sandy Lane Hotel Co., Ltd., 496 F.3d 312, 316 (3d Cir. 2007). If there is no evidentiary hearing, a plaintiff need only demonstrate a *prima facie* case by furnishing facts that establish with reasonable particularity that personal jurisdiction

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<sup>2</sup> Note that Beacon did not join in such Petition for Removal. See Motion for Remand [ECF 7 & 12].

exists. Metcalf v. Renaissance Marine, Inc., 566 F.3d 324, 330 (3d Cir. 2009); Provident Nat'l Bank v. Cal. Fed. Sav. & Loan Ass'n, 819 F.2d 434, 437 (3d Cir. 1987). If a court holds an evidentiary hearing, the standard of proof elevates to a preponderance of the evidence standard. LaRose v. Sponco Mfg., Inc., 712 F. Supp. 455 (D.N.J. 1989); see also Hufnagel v. Ciamacco, 281 F.R.D. 238, 244 (W.D. Pa. 2012) (citing cases).

All allegations made by a plaintiff are accepted as true and all disputed facts are construed in a plaintiff's favor. D'Jamoos v. Pilatus Aircraft Ltd., 566 F.3d 94, 102 (3d Cir. 2009); Carteret Sav. Bank, FA v. Shushan, 954 F.2d 141, 142 & n.1 (3d Cir. 1992). To that end, any conflicts between the evidence submitted by a plaintiff and a defendant are construed in a plaintiff's favor. In re Enter. Rent-A-Car Wage & Hour Employment Practices Litig., 735 F. Supp. 2d 277, 307 (W.D. Pa. 2010). "A Rule 12(b)(2) motion ... is inherently a matter which requires resolution of factual issues outside the pleadings, i.e. whether in personam jurisdiction actually lies." Piano Wellness, LLC v. Williams, 2011 U.S. Dist. LEXIS 146654 at \*2 fn 2 (D.N.J. Dec. 21, 2011). When a plaintiff meets his burden, then the burden shifts back to a defendant to present a compelling case that personal jurisdiction is unreasonable. Carteret Sav. Bank, FA v. Shushan, 954 F.2d 141, 142 & n.1 (3d Cir. 1992). Finally, a court can order jurisdictional discovery to ameliorate the jurisdictional inquiry. Toys "R" Us, Inc. v. Step Two, S.A., 318 F.3d 446, 456 (3d Cir. 2003).

#### **IV. LEGAL ARGUMENTS**

##### **A. This Court Lacks Subject Matter Jurisdiction To Adjudicate Beacon's Motion to Dismiss**

As properly presented, and legally supported, this Court lacks subject matter jurisdiction over this civil action due to defects in its attempted removal. "If at any time before final judgment it appears that the district court lacks subject matter jurisdiction, the case shall

be remanded.” 28 U.S.C. §1447(c). See Motion for Remand [ECF 7], incorporated herein by reference. Therefore, this Court respectfully lacks jurisdiction to adjudicate the instant Motion to Dismiss by Beacon.

Plaintiffs respectfully demand the Motion to Dismiss be denied as moot.

**B. Beacon’s Motion to Dismiss Is Grossly Untimely**

The record reflects an Appearance on behalf of Beacon on **July 1, 2023** [ECF 9]. The record also reflects an Appearance for the Rovins individually on **August 21, 2023**. [ECF 20]. The instant Motion to Dismiss was not filed until **September 21, 2023**. [ECF 27].<sup>3</sup> A Motion to Dismiss under Rule 12 of the Federal Rules of Civil Procedure must be brought within twenty-one (21) days. Fed.R.Civ.P. 12(a)(1). Failure to timely raise personal jurisdiction results in waiver of the defense. Fed.R.Civ.P. 12(h).

Plaintiffs respectfully demand the Motion to Dismiss be denied as untimely and waived.

**C. Jurisdictional Discovery Would Be Required**

Assuming *arguendo* that this Court should reach the merits of the instant Motion to Dismiss, “the plaintiff’s right to conduct jurisdictional discovery should be sustained.” Toys “R” Us v. Step Two, S.A., 318 F.3d 446, 456 (3d Cir. 2003). This Court should “ordinarily allow discovery on jurisdiction in order to aid the plaintiff in discharging [its] burden.” Metcalf v. Renaissance Marine, Inc., 566 F.3d 324, 336 (3d Cir. 2009). Furthermore, jurisdictional discovery may be “particularly appropriate where the defendant is a corporation.” *Id.* Beacon presents a false, self-serving Affidavit claiming no ties whatsoever with the Commonwealth of Pennsylvania. The Third Circuit has instructed that “a plaintiff who is a total stranger to a

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<sup>3</sup> Notably, Beacon also did not timely joint in any previously filed Motion to Dismiss in this civil action. Fed.R.Civ.P. 12(g).



corporation should not be required ... to try such an issue [of jurisdiction] on affidavits without the benefit of full discovery.” Metcalf, 566 F.3d at 336. See also Renner v. Lanard Toys Ltd., 33 F.3d 277, 283 (3d Cir. 1994)(A plaintiff is “entitled to conduct discovery into jurisdictional facts,” rather than accept a defendant’s “analysis of the facts without a chance to probe further.”).

Indeed, by way of sample to the contrary, Beacon continually solicited business and sought to sell services to Dr. Fineman from its location in New Jersey to his home in Pennsylvania. See e.g. Sample Beacon E-Mails attached. Plaintiffs should have the opportunity to develop the facts surrounding Beacon’s customers,<sup>4</sup> solicitations (web site, e-mail, Facebook, Twitter, *etc.*) and sales of services with residents/customers of the Commonwealth of Pennsylvania. Accord Pierce v. Hayward Indus., 2006 U.S. Dist. LEXIS 16472 (E.D.Pa. Apr. 5, 2006)(Motion to Dismiss denied without prejudice pending jurisdictional discovery); Wylam v. Trader Joe’s Co., 2018 U.S. Dist. LEXIS 8463 (M.D. Pa., Jan. 18, 2018)(same).

Plaintiffs respectfully demand the Motion to Dismiss by Beacon at least be denied without prejudice to their right to renew at the close of jurisdictional discovery.

#### **D. Dismissal An Improper Remedy**

Should jurisdictional discovery *arguendo* fall in Beacon’s favor, a “district court that lacks personal jurisdiction must at least consider a transfer.” Danziger & De Llano, LLP v. Morgan Verkamp LLC, 948 F.3d 124, 132 (3d Cir. 2020). Congress provides that this Court “shall” transfer the case rather than dismiss it “if [doing so] is in the interests of justice.” 28

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<sup>4</sup> For example, Beacon claims to have a customer database of over 30,000 customers – jurisdictional discovery will identify what percentage of those customers are from, and what profits are derived from, doing business with the Commonwealth of Pennsylvania. See The Press of Atlantic City, Owners of Beacon Cycling in Northfield taking an alternate path — retirement (2/7/2022)(attached).

U.S.C. §1631. See e.g. Bakaj v. Arthur Levine, D.D.S., 733 F. Supp. 751 (E.D.Pa. 1990)(civil action filed in Pennsylvania transferred to New Jersey = not dismissed for lack of jurisdiction); 28 U.S.C. §1404(a); 28 U.S.C. §1406(a).

Plaintiffs still contend that their choice-of-forum in the Court of Common Pleas of Philadelphia County should control, that there is in fact jurisdiction over Beacon, but they are willing to bear any inconvenience which might result from a transfer. Dismissal of the civil action is an improper remedy and could deny Plaintiffs their day in court for the admittedly defective, recalled bicycle product which caused them such serious personal injuries. Here, principles of sound judicial administration counsel transfer to the United District Court for the District of New Jersey (Camden Vicinage) as a last resort given jurisdiction undisputedly exists against Beacon (and all other defendants).

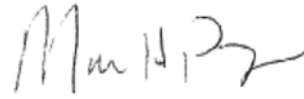
Plaintiffs respectfully demand the relief sought by the Motion to Dismiss by Beacon be denied and that as an alternative last resort this civil action be transferred as opposed to dismissed.

**WHEREFORE**, Plaintiffs, Mitchell S. Fineman, M.D. and Lucy Q. Fineman, respectfully demand that this Court enter an Order remanding this civil action back to the Court of Common Pleas of Philadelphia County, Pennsylvania (and award costs and expenses), pursuant to 28 U.S.C. § 1447(c), or in the alternative, deny this instant Beacon Motion to Dismiss in toto.

Respectfully submitted,

**POST & SCHELL, P.C.**

By:



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Marc H. Perry, Esquire  
PA. I.D. No. 68610  
Four Penn Center, 13<sup>th</sup> Floor  
1600 John F. Kennedy Boulevard  
Philadelphia, Pennsylvania 19103  
(215) 587-1000  
[mperry@postschell.com](mailto:mperry@postschell.com)

Attorneys for Plaintiffs

Dated: September 28, 2023

*Sample PA Contacts*

**From:** "Beacon Cycling - Northfield" <[retailer@ascendrms.com](mailto:retailer@ascendrms.com)>  
**Subject:** **Work Order Completed**  
**Date:** July 7, 2019 at 10:29:55 AM EDT  
**To:** [mitchellfineman](#) [REDACTED]  
**Reply-To:** "Beacon Cycling - Northfield" <[info@beaconcycling.com](mailto:info@beaconcycling.com)>

We have completed your work order (070119110736418) at Beacon Cycling - Northfield. Please stop by at your earliest convenience.

Thank you for having your bicycle serviced at BEACON CYCLING. Please note repairs left after seven days of completion will incur a \$5.00 per day storage fee !



**From:** "Beacon Cycling " <[info@beaconcycling.com](mailto:info@beaconcycling.com)>  
**Subject:** June Newsletter: Father's Day Edition  
**Date:** June 1, 2018 at 2:34:47 PM EDT  
**To:** [mitchellfineman](#)  
**Reply-To:** [info@beaconcycling.com](mailto:info@beaconcycling.com)





## For The Dad's

For the Dad's that have taught you how to ride a bike, tucked you in at night, and kept you safe growing up, give the gift of bike safety this Father's Day. No more gift card cop outs. Sorry for the years of hardware store gift cards, Dad! Lights, bells, high visibility clothing, a helmet. Keep the dad's in your life safe this Father's Day!



Here's to the Dad's



## Lights

Keep your Dad safe and seen. Lights get the attention of drivers, and he does not have to ride at night to need lights! Lights are great for daytime visibility, as well. All in-stock Blackburn lights are 20% off.

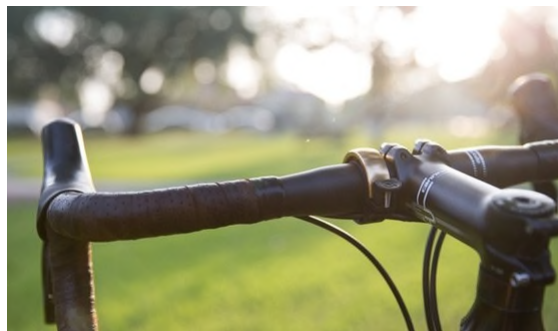
Check out the [Blackburn Central 350 Micro Front and Click USB Rear Light Set](#). Regularly \$49.99. A USB rechargeable light set, perfect for easy installation and keeping you safe.



## Bells

Let 'em know he's coming. The Oi Bell by Knog is a sleek and integrated design that wraps right around the bike's handlebars.

The bell is available in two sizes for different sized bars, and in awesome colors like brass, black, silver, and copper. Available for \$19.99.



## Clothing

The right clothing for cycling is paramount. To add a safety element, make it a high visibility color!

Pictured here is the Pearl Izumi Select Quest jersey for \$50.

Dad's can always use more cycling clothing. Pick a color that will get him seen on the road or in the trails.

## Helmet

Arguably the most important aspect of bike safety. **Protect your noggin!** No, it doesn't look dorky. No, your head doesn't look huge. Yes, your helmet is 85-88% effective in mitigating head and brain injuries, according to the Federal Highway Administration.

This applies to every cyclist. But for Father's Day, give your dad the gift of safety.

Check out the Bell Formula regularly \$84.99, now on sale for \$69.99 for a limited time (in stock only)! This helmet is size specific with MIPS technology, a free moving plate



inside the helmet made to help reduce impact on the head in the event of a crash. Read more about MIPS [here](#).



## Shop Tip of the Month:

### **Pump up your tires regularly.**

Tires are like balloons, and they lose air over time. One of the most important things to remember about maintaining your bike is to fill up your tires to the designated PSI. PSI is a unit of pressure, meaning pounds per square inch. Don't know what pressure your tires need? Look on the sidewall of the tire, and it is etched on the rubber. Also be aware of what kind of valves your tubes have. Watch the video below for a tutorial on how to pump both Schrader and Presta valves.

**Need a pump?** Use this email to get **\$5 off** any pump in stock in our store!

A video thumbnail for a tutorial titled 'PUMP A BIKE TYRE'. The image is split into two panels. The left panel shows a close-up of a hand holding a Presta valve. The right panel shows a hand using a pump to inflate a bike tire. A play button icon is centered between the two panels. At the bottom, there is a green banner with the text 'HOW TO...' in white. In the bottom left corner, there is a red square with the GCN logo, which consists of a globe icon and the letters 'GCN'.



## Bike of the Month: Electra Cruiser Lux 3i

Two words: beach cruiser. But not just any beach cruiser. This lightweight, comfort bike is perfect for rides with the family, riding on the boardwalk, cruising to the beach, and any other comfort riding you enjoy! The 3-speed internal hub allows you to tackle inclines and headwinds with ease. The internal gearing requires

little to no maintenance; perfect for the salty, sandy area we live in. There are men and women's styles available, with awesome color choices. Come in and try one out for yourself!

## Keeping Your Heart Healthy



We are proud to announce Health Tips from NovaCare Rehabilitation!

Do you give your heart enough TLC? Heart disease is the leading cause of death for American men and women. While you can't control some heart disease risk factors- like age, family history, race, or gender- you can control others, such as smoking, high cholesterol, high blood pressure, uncontrolled diabetes, obesity, physical inactivity, and uncontrolled stress.

Here are some tips to keep your heart healthy:

**Kick the habit.** Smoking more than doubles your risk for a heart attack compared to nonsmokers. Heart attacks are more likely to be fatal when you smoke.

**Embrace a physically active lifestyle.** Sedentary people experience higher rates of death and heart disease compared to even mildly active people. Participate in moderate-to-vigorous activity for at least 30 minutes, five days a week. Activities could include walking,



biking, dancing, yoga, martial arts and other sports, as well as “around the house” activities like gardening and yard work. It is recommended you contact your physician prior to initiating an exercise program.

**Eat a balanced, nutritious diet.** Choose a variety of foods low in saturated fat, total fat and cholesterol, and high in fruits, vegetables, grains, and low fat dairy foods.

**Check your blood pressure.** If your bloods pressure exceeds the normal level of 120/80 mmHg talk to your doctor about effective ways to reduce it. If unchecked and untreated, high blood pressure can lead to stroke, heart attack, heart failure, kidney disease and blindness.

**Maintain a healthy weight.** Obesity- a body mass index (BMI) of 30.0 or higher- contributes to high blood pressure.

**If you have diabetes, get it under control.** According to the American Diabetes Association, as many as 65 percent of people with diabetes die from heart disease or stroke. Heart disease strikes people with diabetes more than twice as often as it strikes people without diabetes.

Call your local NovaCare Rehabilitation center or visit [novacare.com](https://www.novacare.com) to learn more healthy tips and tricks.

NovaCare Rehabilitation

801 Tilton Road

Northfield, NJ 08225

P: 609-645-0505 F: 609-645-7437



Until next month...

Here's to many miles in the saddle, a happy June, and happy Father's Day!

## The Beacon Team



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Got this as a forward? [Sign up](#) to receive our future emails.  
View this email [online](#).

231 Tilton Road  
Northfield, NJ | 08225 US

This email was sent to mitchellfineman@comcast.net.  
*To continue receiving our emails, add us to your address book.*

**From:** Beacon Cycling & Fitness <[therideclub@emails.tbcrideclub.com](mailto:therideclub@emails.tbcrideclub.com)>  
**Subject:** Beacon Cycling would like your Feedback.  
**Date:** July 18, 2017 at 1:59:26 PM EDT  
**To:** Mitchell Fineman <[mitchellfineman@beaconcycling.com](mailto:mitchellfineman@beaconcycling.com)>



TRADE IN SHOP ONLINE BIKE FITTING SERVICES REWARDS

## GIVE US YOUR FEEDBACK

# 20% OFF

any one accessory<sup>1</sup>

Coupon expires on 8/1/2017



**30% OFF**

Any Eyewear <sup>2</sup>

Coupon expires on 8/1/2017



<sup>1</sup>Not valid on sale items. Simply bring in or mention this email to take advantage of this special offer.

<sup>2</sup>Not valid on sale items. Simply bring in or mention this email to take advantage of this special offer.

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This email was sent to mitchellfineman [REDACTED] [unsubscribe from this list](#)

**From:** Beacon Cycling & Fitness <[therideclub@emails.tbcrideclub.com](mailto:therideclub@emails.tbcrideclub.com)>  
**Subject:** Beacon Cycling would like your Feedback.  
**Date:** July 11, 2017 at 2:01:24 PM EDT  
**To:** Mitchell Fineman <[mitchellfineman@redacted.com](mailto:mitchellfineman@redacted.com)>



[TRADE IN](#) [SHOP ONLINE](#) [BIKE FITTING](#) [SERVICES](#) [REWARDS](#)

The beaconcycling.com logo. Thank you for visiting our website. We strive to provide the best service to our members.

# How did we do?

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Thank you for your recent service visit. We strive to provide quality service to complete your repair and get you back on your bike in a timely manner. Your feedback is extremely important. Please take the survey below and enjoy these offers just for you!

## GIVE US YOUR FEEDBACK






# 20% OFF

any one accessory<sup>1</sup>

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Coupon expires on 7/25/2017








# 30% OFF

Any Eyewear<sup>2</sup>

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Coupon expires on 7/25/2017





<sup>1</sup>Not valid on sale items. Simply bring in or mention this email to take advantage of this special offer.

<sup>2</sup>Not valid on sale items. Simply bring in or mention this email to take advantage of this special offer.

This email was sent to mitchellfineman  [unsubscribe from this list](#)

**From:** "Beacon Cycling" <[noreply@trekbikes.com](mailto:noreply@trekbikes.com)>  
**Subject:** **The season never ends**  
**Date:** January 8, 2016 at 7:01:00 AM EST  
**To:** [mitchellfineman](#)  
**Reply-To:** [noreply@trekbikes.com](mailto:noreply@trekbikes.com)

This email will be sent to your consumers in the Season Never Ends #2 - Road tactic on 01/08/2016.

1. Please check your logo and contact information to make sure that it's correct
2. Contact us at 1-877-875-8663 or [help@ascendrms.com](mailto:help@ascendrms.com) if any corrections are required
3. To opt out of this specific email, click the DO NOT SEND button

To opt out of this email in Season Never Ends #2 - Road you must click the DO NOT SEND button in each proof you receive.



## Extend your season

The single most important piece of winter riding equipment is a jacket that keeps you warm and dry. Bontrager jackets offer versatile protection for a wide range of temperatures and conditions, so your riding season never has to end.



[Shop Bontrager Jackets at Beacon Cycling today.](#)

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## Design your dream ride

Your bike has a voice. Make it sing with Project One. Design every element of your ride, from paint and finish to the smallest component detail. Pick your model, pick your paint, pick your parts—then let Trek's master artists bring your dream bike to life.



[Call your Trek Project 1 experts at Beacon Cycling today.](#)

## Beacon Cycling

231 Tilton Road  
Northfield, NJ 08225-1211  
**(609) 207-7034**

Visit Site ►



## Additional Locations

**Beacon Cycling**  
3440 Route 9 S  
Freehold, NJ 07728-8591

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Beacon Cycling | 231 Tilton Road | Northfield, NJ 08225-1211 | United States

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If you would like to unsubscribe and stop receiving these emails [click here](#).

**From:** "Beacon" <[therideclub@emails.tbcrideclub.com](mailto:therideclub@emails.tbcrideclub.com)>  
**Subject:** It's Tune Up Time for your Beacon Bike!  
**Date:** July 21, 2015 at 2:00:05 PM EDT  
**To:** [mitchellfineman](#) [REDACTED]  
**Reply-To:** "TBC Ride Club" <[therideclub@emails.therideclub.com](mailto:therideclub@emails.therideclub.com)>



## It's Tune Up Time for your Beacon Bike!

Your bike requires regular maintenance to keep you riding smoothly and safely. Every bike needs a tune-up at least once a year and a drive train cleaning every 1-2 years, depending on your usage. If you provide your bike with basic maintenance, it will provide you with years of enjoyment.



**\$10 Off**  
**Any Bike Service**  
**Package**

**Offer expires**  
**7/30/2015**

Simply bring in this  
email to take advantage  
of this special offer.



**15% Off**  
**All Parts Installed**

Not valid on sale items.

**Offer expires**  
**7/30/2015**

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of this special offer.



Stop by today and see our wide selection of bikes for the  
casual rider to the most ardent enthusiast.



Freehold NJ  
3440 Rte 9 South  
732-431-5610

Northfield NJ  
231 Tilton Rd.  
609-641-9531

**Store Hours:** Mon-Thu 10am-6pm Fri 10am-8pm Sat 10am-5pm Sun 11am-4pm  
[www.beaconcycling.com](http://www.beaconcycling.com)

[Please unsubscribe me from future emails.](#)

**From:** Beacon <[therideclub@emails.tbcrideclub.com](mailto:therideclub@emails.tbcrideclub.com)>  
**Subject:** Thank You from Beacon Cycling!  
**Date:** July 22, 2014 at 1:58:48 PM EDT  
**To:** <[mitchellfineman](mailto:mitchellfineman)>  
**Reply-To:** TBC Ride Club <[therideclub@emails.therideclub.com](mailto:therideclub@emails.therideclub.com)>



## Thank You from Beacon Cycling!

Mitchell, thank you for your recent purchase from Beacon. We hope you'll think of us in the future for expert service, cycling accessories and apparel. To keep you riding safely and comfortably, be sure to bring your new bike back for your FREE 30-Ride CHECK-UP!

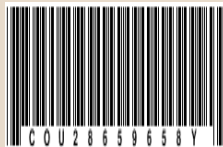


## 20% Off any one accessory

Not valid on sale items, car racks, Garmin products. Limit one per customer.

**Offer expires  
7/31/2014**

Simply bring in or mention this email to take advantage of this special offer.



## 20% Off any one clothing item

Not valid on sale items. Limit one per customer.

**Offer expires  
7/31/2014**

Simply bring in or mention this email to take advantage of this special offer.



### Give us your feedback.

We strive to provide our customers with the best service and overall experience. [Take our brief survey](#) and receive a special offer.



**Store hours shown under addresses below are for Freehold location. Northfield business hours: Mon-Fri 9-8, Sat 9-6, Sun 11-5**

Freehold NJ  
3440 Rte 9 South  
732-431-5610

Northfield NJ  
231 Tilton Rd.  
609-641-9531

**Store Hours:** Mon-Thu 10am-6pm Fri 10am-8pm Sat 10am-5pm Sun 11am-4pm

[www.beaoncycling.com](http://www.beaoncycling.com)

[Please unsubscribe me from future emails.](#)

The Press of Atlantic City,  
Owners of Beacon Cycling in Northfield taking an alternate path — retirement  
(2/7/2022)

# Owners of Beacon Cycling in Northfield taking an alternate path — retirement

top story

NORTHFIELD

[Selena Vazquez](#)

NORTHFIELD — The small yellow-and-red “RETIREMENT SALE EVERYTHING MUST GO!!!!” lawn sign outside of Beacon Cycling on Tilton Road announces the bike shop’s future route.

Beacon Cycling has been a popular bicycle shop for shore town locals and avid cyclists from all over for 92 years. They size, sell, service, assemble, deliver and rent bikes, as well as sell anything you may need for biking, including clothing, accessories and gear.

In a region where biking is a passion among many locals and visitors, the bike shop has long been a neighborhood fixture and asserts it has over 30,000 customers registered in its customer database.

Mitchell Rovins, 64, has owned the shop for more than 45

years and was not thinking of selling. But when someone

asked him if it was for sale, the inquiry inspired him and his wife, Susanna, to put the building on the market.

"It was partly my age, partly because I wasn't really thinking about an exit plan," said Rovins.

## **People are also reading...**

"I really want to enjoy my life after business. It was just an opportune time," said Rovins.

While many businesses struggled during the COVID-19 pandemic, especially in its early stages, Rovins saw an increase in business as the demand for cycling and cycling products increased.

"People were stuck in their home and needed to get out," Rovins said, referring to the beginning of the pandemic when there were mandates about not gathering in groups or indoors. "Some people started to read, others rediscovered cycling. You could get on your bike, leave your house, get some fresh air and get a little exercise."

The pandemic did have a negative effect on the bicycling industry, though, Rovins said. Parts and products that usually only took a couple days to arrive started taking up to 15 months.

building was sold to Moppert Brothers Auto Collision Specialists.

Rovins didn't mention for how much he sold the building, but said the land he bought in 1983 was just a wooded lot.

Rovins said they called it a retirement sale because they were leaving on their own terms and not because the business was in distress.

"In our case, we're actually retiring and letting people know we are retiring and closing the business," said Rovins.

Rovin's grandfather, Theodore Rovins, started Beacon Auto in 1930 and had multiple stores based in Cumberland and Salem counties.

Rovins said the shop was named Beacon for their 1930's slogan, "Lighting the way to economy."

Then, Rovins' father, Ernest, took over his grandfather's shop, when they started selling bike products as well. This is where he discovered his love for bikes and cycling.

"It was kind of interesting to love cycling and be able to sell and fix other people's bikes, and that became my passion," said Rovins. "Some people like cycling but are not into bikes, and the people that like to fix and touch the bikes aren't

really into cycling. I like the whole package because it just makes sense."

He vividly remembers working at his dad's shop with three of his brothers, Byron, Bob and Jay.

The four brothers eventually ended up running the family business together from 1982 to the early 2000s.

Rovins took over the business by himself, focused on having the location in Northfield, and switched over to solely the bike aspect of the business.

He later met his wife at Beacon Cycling when she came to get sized and fitted for a bike.

He says he asked her out with the line, "Would you like to go out for a bike ride?"

They met in the parking lot of Beacon Cycling for a bike ride for their first date. Susanna was late, and though he didn't know why, Rovins never thought she was "blowing him off." After patiently waiting for hours, he later discovered she was in a car accident.

Their first date was in the hospital.

Both avid cyclists, Rovins said biking with his wife daily has only made cycling better for him.

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"I would still love cycling because I was cycling before I met her, but now it's even better that I have a partner to share the same experience with. So we consider every time we go out and ride a little daily adventure," said Rovins. "It's really great to have a life partner who's also your life cycling partner."

They've been married since 1992 and had three kids together, Anna, 28, Emme, 24, and Sacha, 20.

"They always worked. They learned a good work ethic from working here and helping me out," said Rovins about his kids who also grew up in the bike shop, just like he and his siblings did.

Rovins said none of them wanted to take over the business and that he was happy his children decided to follow their own paths.

"All things come to an end," said Rovins, who believes another shop will fill the void after Beacon Cycling leaves.

Rovins and his wife will follow their own retirement plans by traveling, staying fit for adventures and, of course, cycling.

## **GALLERY: Beacon Cycling shutting its doors**

### **Beacon Cycling**





Mitchell Rovins owner of Beacon Cycling bike shop on Tilton Road in Northfield Wednesday Feb 2, 2022. Signs out front say everything must go Retirement sale. The building has been sold. The closing is in April, but they expect they will close up shop in February or March when they are pretty much out of stock. Edward Lea Staff Photographer / Press of Atlantic City

Edward Lea, Staff Photographer

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## Beacon Cycling



Mitchell Rovins, owner of Beacon Cycling, stands in the store's repair shop last week. "It was partly my age, partly because I wasn't thinking about an exit plan. I really want to enjoy my life after business," he said about retiring.

Edward Lea, Staff Photographer

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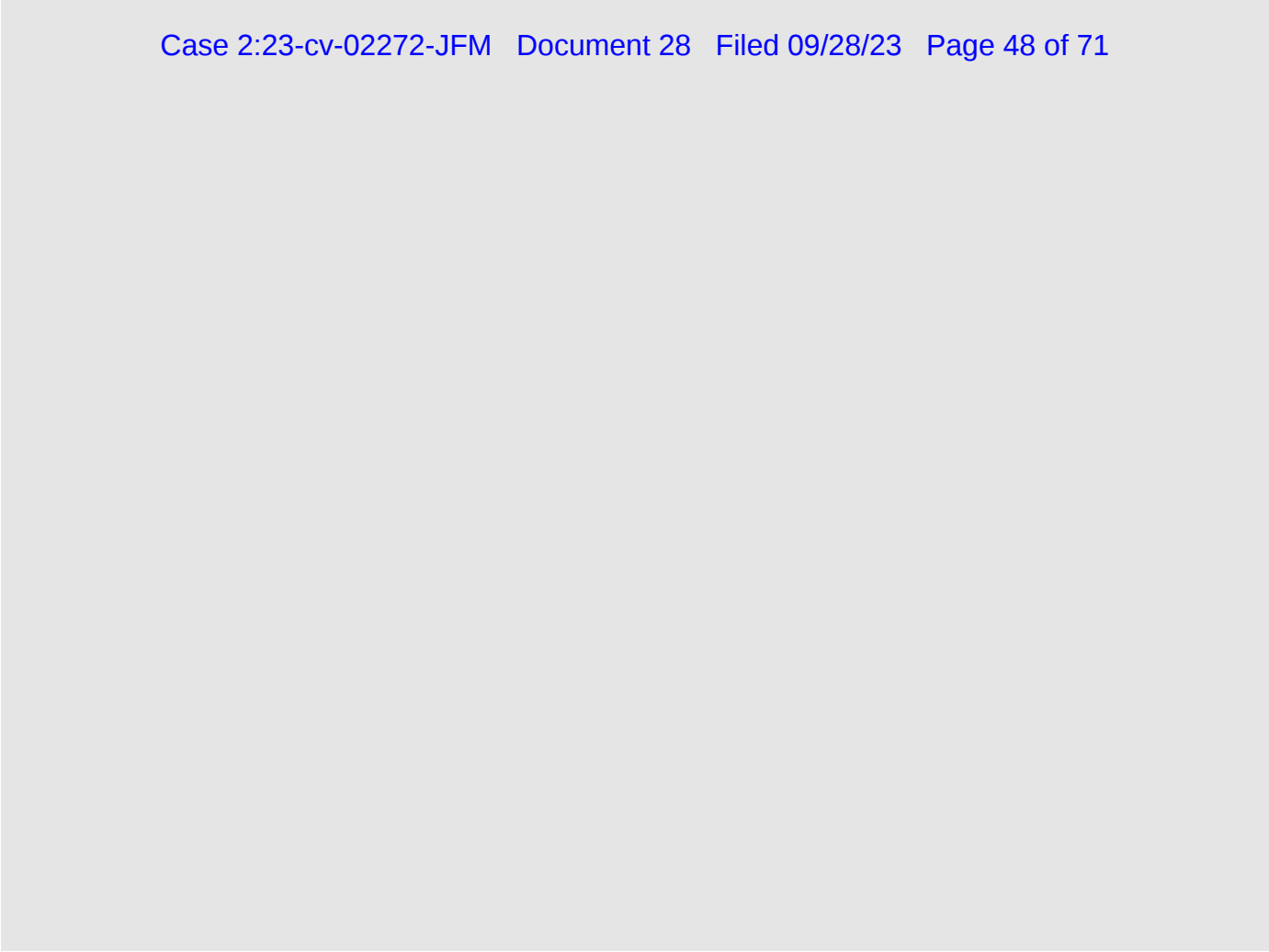
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Signs in front of Beacon Cycling in Northfield say everything must go. The store is expected to close later this month or early in March.

Edward Lea, Staff Photographer

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## **Beacon Cycling**

Mitchell Rovins, who has owned Beacon Cycling for more than 45 years, has decided to retire, close the store and sell the building.

Edward Lea, Staff Photographer

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## **Contact Selena Vazquez:**

609-272-7225

[svazquez@pressofac.com](mailto:svazquez@pressofac.com)

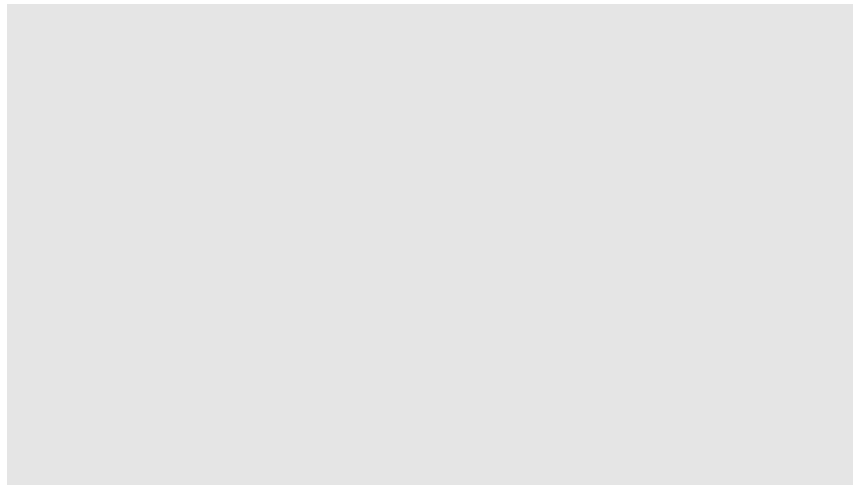
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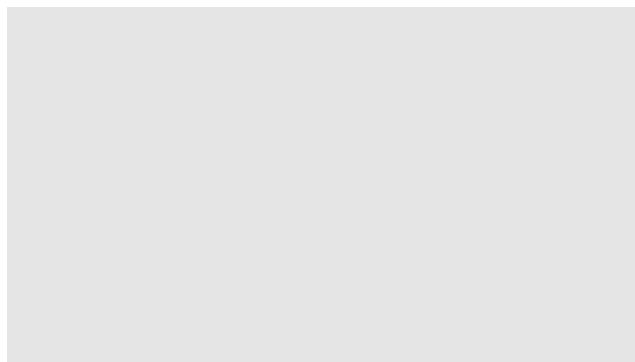
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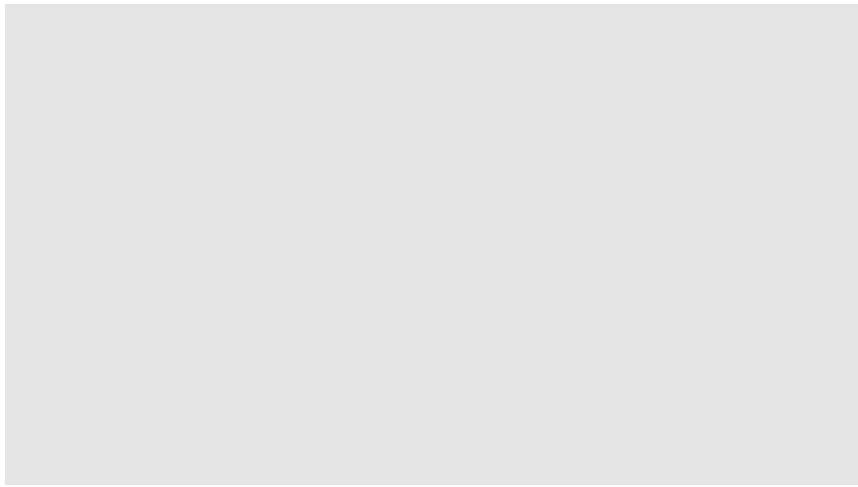
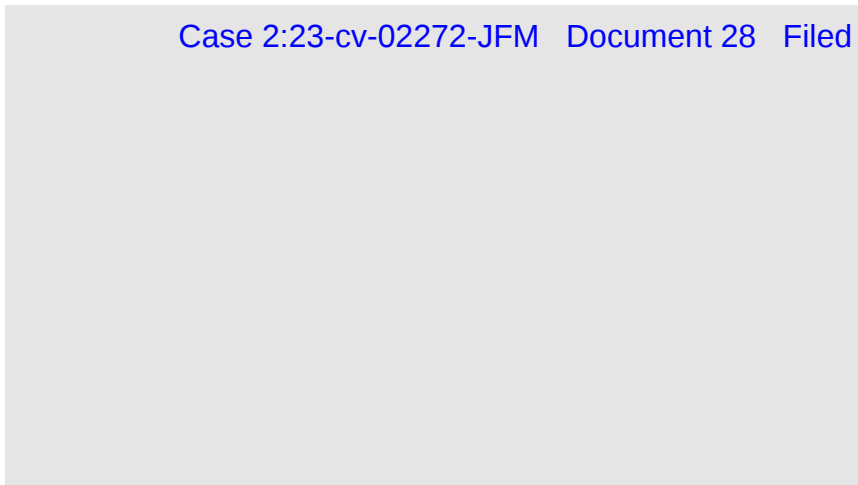
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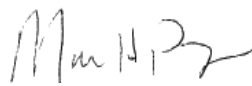


**CERTIFICATION**

I do hereby certify that service of a true and correct copy of the foregoing was electronically filed via the ECF System and has likewise been served by ECF this date.

Dated: September 28, 2023

**POST & SCHELL, P.C.**

By: 

---

Marc H. Perry  
Attorneys for Plaintiffs

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

MITCHELL S. FINEMAN, M.D.  
and LUCY Q. FINEMAN, h/w

Plaintiffs,

v.

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ELECTRA BICYCLE COMPANY, INC.,  
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TREK RETAIL CORPORATION (d/b/a Trek  
Bicycle Philadelphia Manayunk), BEACON  
STORES, INC. (d/b/a Beacon Cycling and/or  
Beacon Cycling & Fitness),  
MITCHELL ROVINS and SUSANNA  
ROVINS (d/b/a Beacon Stores, Inc. (d/b/a Beacon  
Cycling and/or Beacon Cycling & Fitness), SRAM,  
LLC, JOHN DOE(S) and JANE DOE(S), ABC  
CORPORATION and DEF, LLC, HENG YING  
MACHINERY CO., LTD.

Defendants.

NO: 2:23-CV-02272-JFM

**ORDER**

**AND NOW**, this \_\_\_\_ day of \_\_\_\_\_, 2023, upon consideration of the Motion to Dismiss by Defendants, Beacon Stores, Inc., Mitchell Rovins and Susanna Rovins [ECF 27], and the opposition thereto by Plaintiffs, it is hereby **ORDERED** that said Motion is **DENIED AS MOOT**. This civil action is being **REMANDED** back to the Court of Common Pleas of Philadelphia County. 28 U.S.C. §1447(c).

**BY THE COURT:**

\_\_\_\_\_  
, J.

Copies to all parties via ECF

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

MITCHELL S. FINEMAN, M.D.  
and LUCY Q. FINEMAN, h/w

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TREK RETAIL CORPORATION (d/b/a Trek  
Bicycle Philadelphia Manayunk), BEACON  
STORES, INC. (d/b/a Beacon Cycling and/or  
Beacon Cycling & Fitness),  
MITCHELL ROVINS and SUSANNA  
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, J.

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